

1 _____ BILL NO. _____

2 INTRODUCED BY _____

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4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO DISTRICT
5 COURTS; COMBINING THE 15TH AND THE 17TH JUDICIAL DISTRICTS; PROVIDING AN ADDITIONAL
6 JUDGE TO THE 13TH JUDICIAL DISTRICT; PROVIDING A TRANSITION; AMENDING SECTIONS 3-5-101
7 AND 3-5-102, MCA; AND PROVIDING EFFECTIVE DATES."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 **Section 1.** Section 3-5-101, MCA, is amended to read:

12 **"3-5-101. Judicial districts defined.** In this state, there are ~~22~~ 21 judicial districts, distributed as
13 follows:

- 14 (1) 1st district: Lewis and Clark and Broadwater Counties;
15 (2) 2nd district: Silver Bow County;
16 (3) 3rd district: Deer Lodge, Granite, and Powell Counties;
17 (4) 4th district: Missoula and Mineral Counties;
18 (5) 5th district: Beaverhead, Jefferson, and Madison Counties;
19 (6) 6th district: Park and Sweet Grass Counties;
20 (7) 7th district: Dawson, McCone, Richland, Prairie, and Wibaux Counties;
21 (8) 8th district: Cascade County;
22 (9) 9th district: Teton, Pondera, Toole, and Glacier Counties;
23 (10) 10th district: Fergus, Judith Basin, and Petroleum Counties;
24 (11) 11th district: Flathead County;
25 (12) 12th district: Liberty, Hill, and Chouteau Counties;
26 (13) 13th district: Yellowstone County;
27 (14) 14th district: Meagher, Wheatland, Golden Valley, and Musselshell Counties;
28 (15) 15th district: Blaine, Phillips, Valley, Roosevelt, Daniels, and Sheridan Counties;

1 (16) 16th district: Custer, Carter, Fallon, Powder River, Garfield, Treasure, and Rosebud Counties;
 2 ~~(17) 17th district: Phillips, Blaine, and Valley Counties;~~
 3 ~~(18)~~~~(17)~~18th 17th district: Gallatin County;
 4 ~~(19)~~~~(18)~~19th 18th district: Lincoln County;
 5 ~~(20)~~~~(19)~~20th 19th district: Lake and Sanders Counties;
 6 ~~(21)~~~~(20)~~21st 20th district: Ravalli County;
 7 ~~(22)~~~~(21)~~22nd 21st district: Stillwater, Carbon, and Big Horn Counties."

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9 **Section 2.** Section 3-5-102, MCA, is amended to read:

10 **"3-5-102. Number of judges.** In each judicial district, there must be the following number of judges of
 11 the district court:

- 12 (1) in the 2nd, 7th, 16th, 20th, and 21st districts, two judges each;
- 13 (2) in the 1st, 8th, and 18th districts, four judges each;
- 14 (3) in the 4th and 11th districts, five judges each;
- 15 (4) in the 13th district, ~~eight~~ nine judges; and
- 16 (5) in all other districts, one judge each."

17

18 NEW SECTION. **Section 3. Transition.** (1) If a vacancy in the 15th or the 17th judicial district occurs
 19 on or after [the effective date of this section], then:

20 (a) the governor may not appoint a person to fill the vacancy in the 15th or the 17th judicial district,
 21 and the remaining judge will serve the newly configured 15th judicial district; and

22 (b) the governor shall appoint a person to fill the additional judge position in the 13th district using
 23 the process outlined in 3-1-901 through 3-1-905. The appointment must be confirmed by the senate and is
 24 subject to the provisions of 3-1-906 for senate confirmation and of 3-1-907 for the length of the appointee's
 25 initial term.

26 (2) An election to a full 6-year term for the ninth judge in the 13th judicial district must be
 27 conducted at the general election held in November 2030.

1 NEW SECTION. Section 4. Effective dates -- contingent effective date. (1) Except as provided in
2 subsection (2), [this act] is effective on passage and approval.

3 (2) (a) [Sections 1 and 2] are effective January 6, 2031, or on occurrence of the contingency
4 described in subsection (2)(b), whichever occurs first.

5 (b) If a vacancy in the 15th or 17th judicial district occurs on or after [the effective date of this
6 section], then [sections 1 and 2] are effective on the date the vacancy occurs.

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